

**RECORD OF PROCEEDINGS OF THE GOVERNING BODY
CITY OF GARDNER, KANSAS**

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September 20, 2021

The City Council of the City of Gardner, Kansas met in regular session on September 20, 2021, at 7:00 p.m. in the Council Chambers at Gardner City Hall, 120 East Main Street, Gardner, Kansas, with Mayor Steve Shute presiding. Present were Councilmembers Todd Winters, Mark Baldwin, Kacy Deaton, Randy Gregorcyk, and Tory Roberts. City staff present were City Administrator James Pruetting; Deputy City Administrator Amy Nasta; Finance Director Matthew Wolff; Police Chief James Belcher; Utilities Director Gonz Garcia; Parks and Recreation Director Jason Bruce; Community Development Director David Knopick; Public Works Director Kellen Headlee; City Attorney Ryan Denk; and City Clerk Sharon Rose. Others present included those listed on the sign-in sheet and others who did not sign in.

CALL TO ORDER

There being a quorum of Councilmembers present, Mayor Shute called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Shute led those present in the Pledge of Allegiance.

PRESENTATIONS

PUBLIC HEARINGS

PUBLIC COMMENTS

No members of the public came forward.

CONSENT AGENDA

1. **Standing approval of the minutes as written for the regular meeting on September 7 2021**
2. **Standing approval of City expenditures prepared August 31, 2021 in the amount of \$411,141.18; September 3, 2021 in the amount of \$514,522.57; and September 10, 2021 in the amount of \$437,533.95**
3. **Consider authorizing the execution of agreements to acquire right-of-way and easements for the US-56, Sycamore to Old US-56 Reconstruction Project**
4. **Consider authorizing the purchase of smart electric meters for new developments**
5. **Consider authorizing the execution of an amendment to the current engineering services contract with TREKK Design Group, LLC**

Councilmember Gregorcyk asked to remove item 4 from the Consent Agenda.

Councilmember Deaton made a motion to approve items 1-3 and 5 on the Consent Agenda.

Councilmember Baldwin Seconded.

With all of the Councilmembers voting in favor of the motion, the motion carried.

Discussion of Consent Agenda Item 4, Consider authorizing the purchase of smart electric meters for new developments

Councilmember Gregorcyk asked if the permitting costs cover this hardware. Director Garcia said they charge a residential connection fee. A single family home costs \$1400 for service connection and the meter. That's how they recover the cost. Administrator Pruetting said they are buying to have them on hand, and the cost recovery will come later.

Councilmember Gregorcyk made a motion to authorize the City Administrator to purchase additional smart electric meters for new construction for a total of \$211,796, and authorize a contingency of \$21,796 (10%)

Councilmember Winters Seconded.

With all of the Councilmembers voting in favor of the motion, the motion carried.

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PLANNING & ZONING CONSENT AGENDA

1. Consider accepting the dedication of right-of-way and easements on the final plat for Treadway Apartments

Councilmember Deaton made a motion to approve the Planning & Zoning Consent Agenda.

Councilmember Gregorcyk Seconded.

With all of the Councilmembers voting in favor of the motion, the motion carried.

COMMITTEE RECOMMENDATIONS

1. Consider adopting an ordinance approving a rezoning from A (Agricultural) District to CO-A (Neighborhood Business) District for a 3.82-acre commercial development at Moonlight Rd and Woodson Ln

Community Development Director David Knopick said this is for a parcel on the corner of Moonlight and Woodson Ln. The CO-A designation is a neighborhood business district. Heartland Plumbing, a manufacturing zone district, is on the south side and single-family housing is west and north. There are a large number of duplexes and townhomes in the area. The intent is to keep this at the neighborhood scale. The applicant did not bring in a development plan at this time, only zoning. They will go through preliminary and final development plan reviews, with conditions set forth, at a future date. It would eventually become a planned district.

Councilmember Winters asked if they will do a traffic study. Director Knopick said there is a possibility that the preliminary development plan may make one necessary. It's a relatively small acreage and located on the intersection of an arterial and collector street.

Mayor Shute noted the CO-A zoning is the most flexible for neighborhood use. Knopick said they originally discussed C-2, but considering their conceptual plans, it's more a neighborhood business instead of general retail district.

The applicants shared conceptual drawings. Knopick noted that these drawings are conceptual and not a site plan or development plan. They are not committing to that exact plan they are showing. This action is for zoning only. Mayor Shute asked if there would be a supplemental action to create a planned district. Knopick confirmed.

Councilmember Winters made a motion to accept the recommendation, with conditions as outlined, of the Planning Commission and approve an ordinance changing the zoning classification or districts of certain lands located in the City of Gardner, Kansas, under the authority granted by Title 17 of the Municipal Code of the City of Gardner, Kansas.

Councilmember Gregorcyk Seconded.

With all of the Councilmembers voting in favor of the motion, the Ordinance passed and was assigned Ordinance number 2719.

Roberts:	Yes
Winters:	Yes
Gregorcyk:	Yes
Baldwin:	Yes
Deaton:	Yes
Shute:	Yes

OLD BUSINESS

NEW BUSINESS

1. Consider adopting a resolution to formally adopt the Kansas Homeland Security Region L Hazard Mitigation Plan

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Police Captain Lee Krout said this is a housekeeping item. This plan has been in place for several years and is reviewed every 5 years. The deadline to approve it has been extended. Region L is Johnson County, Wyandotte County and Leavenworth County. Mitigation is defined as sustained action taken to reduce or eliminate long-term risk to people and their property from hazards and their effects. Hazard mitigation planning provides communities with a roadmap to aid in the creation and revision of policies and procedures, and the use of available resources, to provide long-term, tangible benefits to the community. As stipulated in the Disaster Mitigation Act of 2000 (DMA 2000) Section 322, federally approved mitigation plans are a prerequisite for mitigation project grants. The city adopted the last version of the plan in 2014. Specifically, this hazard mitigation plan was developed to update the Kansas Region L 2014 Hazard Mitigation Plan, build for a safer future for all citizens, foster cooperation for planning and resiliency, identify, prioritize and mitigate against hazards, assist with sensible and effective planning and budgeting, educate citizens about hazards, mitigation and preparedness, and comply with federal requirements. The regional mitigation plan was approved by FEMA on October 3rd, 2019 and was formally adopted via Resolution No. 059-19 by the Johnson County Board of County Commissioners on November 7th, 2019. FEMA is now requiring all plan participants to show their continued commitment to the county's mitigation efforts by adopting the plan through a formal resolution.

Councilmember Gregorcyk said the fire department signed this at their last board meeting. Chief Morley indicated that by signing this, there may be grant opportunities. Captain Krout confirmed, noting he doesn't have the details. There is no cost to the city to be part of this plan, but they could miss out on grant funding if they don't adopt it.

Councilmember Winters said there are 5 mitigation actions listed for Gardner, and some are costly. Grant funding could help. Captain Krout said several entities have the same issue. Because they began in 2019, one or two of those items are close to completion.

Mayor Shute asked if there was any thought given to environmental hazards from facilities development in surrounding communities. Krout said they may see that addressed on the next update.

Councilmember Deaton made a motion to adopt a resolution adopting the Kansas Homeland Security Region L Hazard Mitigation Plan

Councilmember Winters Seconded.

With all of the Councilmembers voting in favor of the motion, the Resolution passed and was assigned Resolution number 2093.

Winters:	Yes
Gregorcyk:	Yes
Baldwin:	Yes
Deaton:	Yes
Roberts:	Yes

COUNCIL UPDATES

Parks Director Bruce said next Friday is the Grand Slam event. Mayor Shute asked how many tickets are available. Bruce said around 200-250.

Councilmember Roberts thanked staff for their work on the Santa Fe/56 exchange. The turn radius was repaired last week. She asked for an update on Waverly. Public Works Director Headlee said the current phase goes through December, then they'll switch to south of the school intersection. The intersection with the school will stay open until they do the intersection work.

Councilmember Gregorcyk asked for an update northbound Center St., north of Madison. Administrator Pruetting said staff put that section of roadway on a list of priorities for commercial truck traffic. There were no commercial truck violations in the last two weeks, but because of increased presence, staff issued 12 citations and 7 warnings. Gregorcyk asked for an update on Cherokee. Pruetting said staff are waiting on several signs to improve signage. Staff will sign some of the cross streets on the west side of Gardner Rd. and will install a flashing light on the intersection to draw attention to no trucks at Cherokee. Gregorcyk asked if signs will highlight

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the \$200 fine. Director Headlee confirmed, and said those will be installed at various areas already signed for no trucks. Pruetting said that Headlee had the idea to put additional information signs on orange signs. They will use those near the highway to inform truck drivers they cannot go past 188th St.

Councilmember Winters thanked staff for the flashing signs. Drivers can't say they didn't see it. Mayor Shute said there's some support to shut down 183rd past Poplar. Administrator Pruetting said the fire district has a station on 183rd, it would be a public safety issue. Councilmember Gregorcyk said once the fire district opens the new Edgerton fire station, they may revisit the discussion.

EXECUTIVE SESSION

ADJOURNMENT

There being no further business to come before the Council, on a motion duly made by Councilmember Deaton and seconded by Councilmember Winters the meeting adjourned at 7:27p.m.

City Clerk